

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

EDGAR W. CLEVELAND,

Plaintiff,

v.

CASE NO. 21-3073-SAC

CHRISTOPHER BARRATTI, et al.,

Defendants.

NOTICE AND ORDER TO SHOW CAUSE

Plaintiff Edgar W. Cleveland filed this *pro se* § 1983 action against Detective Christopher Barratti, Officer Thomas Bangert, Comcare Case Manager Rebecca (Inu), and an unnamed “male counselor of Carolyn Sebbos.” (Doc. 1, p. 1.)

When Mr. Cleveland filed his complaint and his motion for leave to proceed *in forma pauperis* on March 10, 2021, he indicated that his return address was the Cherokee County Jail. *Id.* The envelope containing the complaint had a return address of the mailing address for the Cherokee County Jail. (Doc. 1-1.) Similarly, when Mr. Cleveland filed his motion to waive partial filing fee on March 25, 2021, the envelope containing the motion had a return address of the mailing address for the Cherokee County Jail. (Doc. 4-1.) Mr. Cleveland has filed nothing further in this case.

Mr. Cleveland does not appear on the Cherokee County Jail’s current in-custody list, and he has not provided the Court with his new address. Consequently, it appears Mr. Cleveland has failed to comply with rules of the Court which require every party, including a party proceeding *pro se*, to notify the Court in writing of a change of address. D. Kan. R. 5.1(c).

IT IS THEREFORE ORDERED that Plaintiff is granted twenty (20) days to show cause why this matter should not be dismissed without prejudice for lack of prosecution. The failure to file a timely response may result in the dismissal of this matter without prior notice to Plaintiff.

A copy of this Order shall be transmitted to Plaintiff at his last known address.

IT IS SO ORDERED.

Dated on this 30th day of July, 2021, in Topeka, Kansas.

s/ Sam A. Crow
SAM A. CROW
U. S. Senior District Judge